

IDAHO STATE DEPARTMENT OF AGRICULTURE
DAIRY MOU REPORT
APRIL 26, 2002

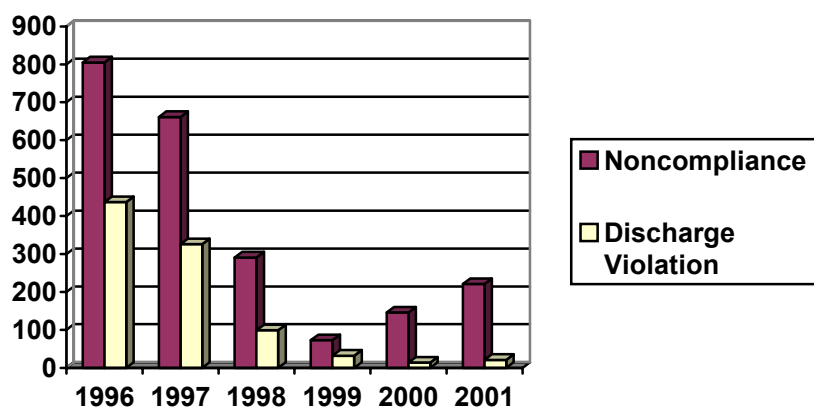
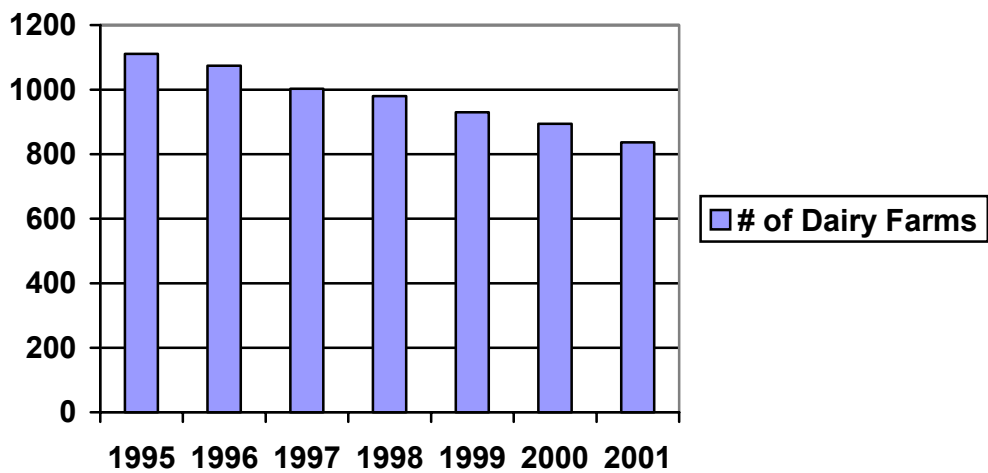
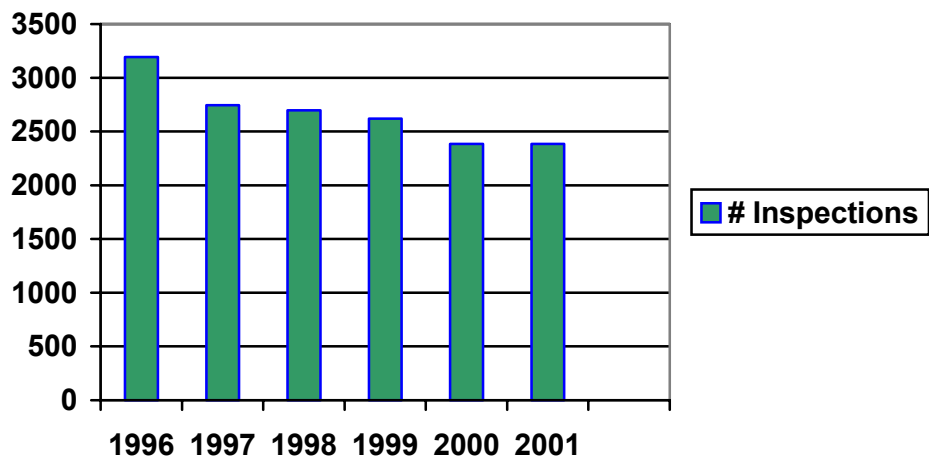
At the end of 2001, Idaho had 837 dairy farms - a net loss of 37 dairies from 2000. (36 net loss for 1999). Average herd size increased from 395 mature animals per farm in 2000 to 450 in 2001. Total milk production was over 7.757 billion pounds up 7.3% from 2000. Average milk price was \$13.50 per hundred weight up from \$10.65 in 2000. Farm gate receipts surpassed 1 billion dollars for the first time in Idaho dairy history. The Department estimates the 2002 milk production will increase approximately 5% over 2001.

YEAR	NUMBER OF FARMS	POUNDS OF MILK (BILLIONS OF LBS.)	MATURE DAIRY COWS (IN THOUSANDS)	AVERAGE HERD SIZE
1991	1952	2.87	178	91
1992	1825	3.09	183	100
1993	1248	3.18	189	151
1994	1217	3.71	208	171
1995	1179	4.17	232	197
1996	1150	4.7	256	223
1997	1074	5.15	272	253
1998	980	5.7	301	307
1999	930	6.453	332	357
2000	894	7.189	354	395
2001	837	7.757	377	450
Statistics from ISDA & USDA Statistical Reporting				

WASTE INSPECTION DATA

During the six-year history of the MOU, 1996 through 2001, ISDA conducted 16,024 dairy farm waste inspections. A total of 2,197 noncompliance violations and 929 discharge violations were issued.

	1996	1997	1998	1999	2000	2001
Non-compliance	805	661	291	73	146	221
Discharge	437	326	99	32	14	21
Total Inspections	3194	2745	2697	2619	2385	2385



During 2001 the number of noncompliance (221) and discharge violations (21) increased significantly over 2000. During last year's MOU review ISDA reported there would likely be an increase of noncompliance situations on Idaho dairy farms in 2001 as the nutrient management plans (NMP) and regulatory enforcement of NMP became effective July 1, 2001. Nutrient Management noncompliance issues did have a significant impact on the industry. All but one dairy farm submitted NMP's as required by law. The one facility that did not submit a plan sold the herd shortly after the July 1, 2001 deadline. ISDA began the process of "ground truthing" the plans to determine if the plans were accurate. Internal reviews and "ground truthing" the NMP's indicated there was a lack of adequate liquid storage capacity. This created a substantial increase in noncompliance situations. Several facilities could not comply with the new NMP requirements because of storage capacity. Significant construction modifications have been and will be made to these operations. Other significant noncompliance problems can be attributed to the NMP requirements for liquid land application time frames, failure to appropriately manage waste containment systems in preparation for the winter period, and last year's early wet winter.

NUTRIENT MANAGEMENT

In April 2000, SB1437 was signed into law. This legislation required Nutrient Management Plans on all dairy farms by July 1, 2001. At the time of the 2000 annual review 245 of 894 dairy farms had completed NMP's.

During the following 2½ months a task force consisting of several NRCS, SCC, U of I, ISDA, and private certified planners worked diligently to complete NMP's for the remaining 600 plus dairy farms. Approximately 250 plans were written under the Idaho One Plan. Idaho One Plan Nutrient Management computer model had several computer glitches which has required a substantial amount of "ground truthing" on dairies whose plans were developed using the One Plan.

ISDA to date has reviewed approximately 74% of plans. 29% of the plans have been sent back to the planners for corrections or modifications.

DAIRY MEMORANDUM OF UNDERSTANDING IS EXTENDED 5 YEARS

The original Idaho Dairy Pollution Prevention Initiative Memorandum of Understanding (MOU) was signed by the Division of Environmental Quality, Idaho State Department of Agriculture, Environmental Protection Agency, and the Idaho Dairymen's Association and became effective October 4, 1995. The term of the MOU was 5 years. (Appendix A).

On August 25, 2000, the signatory parties to the 1995 MOU agreed to amend the 1995 MOU by extending the 1995 MOU from October 4, 2000 to June 1, 2001. (Appendix A).

On May 30, 2001, the signatory parties to the 1995 MOU and the August 25, 2000 amendment to the 1995 MOU agreed to further amend the 1995 MOU by extending the MOU to August 31, 2001. (Appendix A).

On August 30, 2001, the signatory parties to the original and extended amendment sign a revised MOU. The term of the revised MOU is 5 years. (Appendix A).

IDAHO DAIRY INITIATIVE RECEIVES AWARD

The Harvard University, John F. Kennedy School of Government, selected the Idaho Dairy Pollution Prevention Initiative as a finalist for their 2001 Innovations in American Government awards program. The Idaho Initiative was one of 15 finalists out of 1300 applicants. (Appendix B).

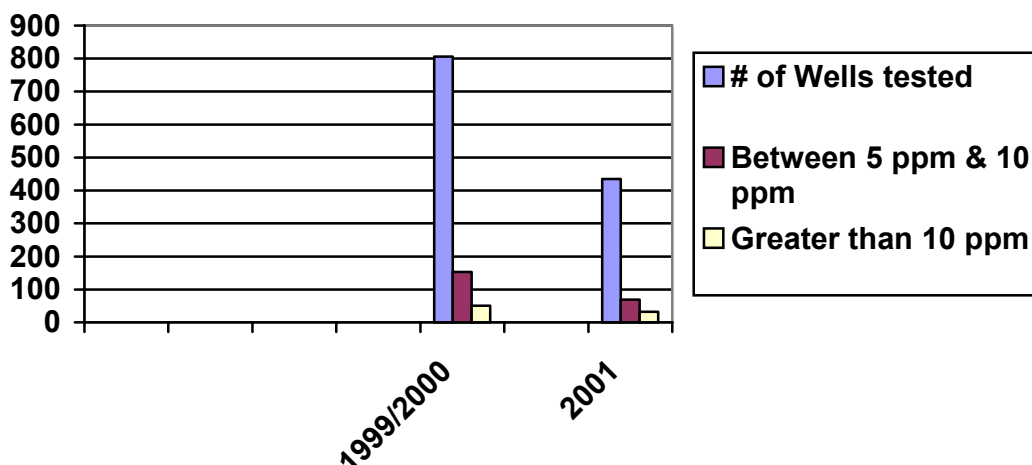
CAFO SITING

On July 1, 2001, HB 211aa, the “Site Advisory Suitability Determination Act”, became law. This law creates a “CAFO site advisory team” comprised of members from IDWR, DEQ, and ISDA to provide “suitability determinations” on proposed livestock operations based on the environment risk of the operation. The suitability determination will be provided to the county for their consideration when deliberating conditional use or livestock confinement operation permits. The site advisory team has conducted 12 site determinations as of April 2002. Six of the determinations were dairy, and six were heifer or feedlot operations.

WATER QUALITY TESTING

In July 1999, ISDA initiated a program to test dairy farm water supplies for nitrate. All dairy farms except those facilities on municipal water systems were tested. All facilities that tested 5 ppm or higher were retested utilizing nitrogen isotope testing protocols.

A second round of nitrate water testing was initiated in 2001. The Dairy Bureau has tested 435 dairy wells. Of the 435 wells, 69 tested between 5 ppm and 10 ppm nitrate. 32 dairy wells tested ≥ 10 ppm nitrate. Of the 435 wells tested, 310 wells were lower or remained the same in nitrate than the results reported in 1999-2000. 110 wells showed increased levels.

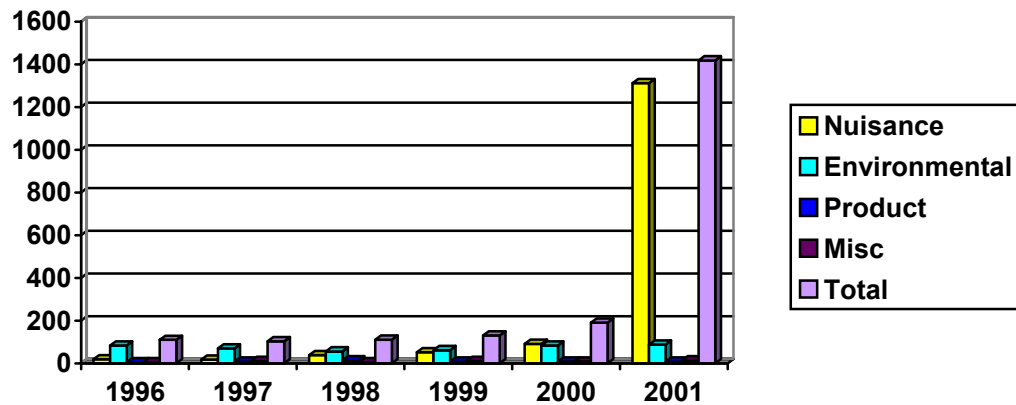


ISDA DAIRY RELATED COMPLAINTS

During 2001 the Dairy Bureau received 1,423 complaints:

1,316 nuisance
87 environmental
7 product
13 miscellaneous

These totals were up dramatically over previous years due to the new odor law.



SUMMARY

2001 was a year of transition for the regulators and the regulated. Legislative mandates to improve environmental and social conditions were met with mixed reviews. The long term effects of the legislation will eventually be positive for the industry and the general public. However, the “success” of the legislation will be driven by a balanced objective enforcement program, continued scientific innovations to solve problems and commitment by the industry to become better neighbors.

The implementation of the Nutrient Management Program is a complex program that will require considerable changes in traditional farming practices. The new odor laws will have to be married to the Nutrient Management Plan formula with a short “learning curve” time frame to understand and incorporate the new requirements. Implementation of the new laws started immediately and has and will result in penalties for noncompliance. There is little doubt noncompliance issues and penalties will increase until Nutrient Management and Odor requirements are fully understood, implemented, and followed.

Respectfully Submitted,

Marv Patten, Bureau Chief